



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,050	09/04/2003	Tracy Simpson		2049

23688 7590 01/28/2004

Bruce E. Harang  
PO Box 19161  
Asheville, NC 28815-1161

EXAMINER

GORDON, STEPHEN T

ART UNIT

PAPER NUMBER

3612

DATE MAILED: 01/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/605,050

Applicant(s)

SIMPSON ET AL.

Examiner

Stephen Gordon

Art Unit

3612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 September 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 1-19 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All   b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 9-4-03 .                      6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This application is in condition for allowance except for the following formal matters:

In the claims, the following minor informalities are noted:

Claim 1, “the cargo compartment” in line 6, “the interior walls” in line 7, “the cargo area” in line 7, and “the cargo area floor” at the end of the claim should be –a cargo compartment--, --interior walls--, --a cargo area--, and –a cargo area floor—respectively for added clarity.

Claim 2, “the side walls” should be –the interior walls—for consistency.

Claim 3, “hook” in line 2 should apparently be written as –hook portion—for added clarity – note the term “said hooks” at the end of the claim.

Claim 4, “the cargo floor surface” should be written as –a cargo floor surface—for added clarity. Additionally, should –upper— be inserted before “surface” of the term for added clarity?

Claim 6, “the interior cargo wall” at the end of the claim should –the interior walls—for added clarity.

Claim 11, “the cargo compartment” in line 6, “the interior walls” in line 7, “the cargo area” in line 7, and “the cargo area floor” at the end of the claim should be –a cargo compartment--, --interior walls--, --a cargo area--, and –a cargo area floor— respectively for added clarity. Additionally, “the seat backs” and “the rear seats” should be –seat backs—and –rear seats—respectively for added clarity.

Claim 13, , "hook" in line 2 should apparently be written as —hook portion—for added clarity – note the term "said hooks" at the end of the claim.

Claim 14, "the cargo floor surface" should be written as —a cargo floor surface—for added clarity. Additionally, should —upper— be inserted before "surface" of the term for added clarity? The term "the rear seat back" should be —a rear seat back—for added clarity. Finally, the extra period at the end of the claim should be deleted.

Claim 16, "the interior cargo wall" at the end of the claim should —the interior walls—for added clarity.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Note at least Labeur teaches a cargo securing system for an interior vehicle cargo compartment.
3. Claims 1-19 are objected to for the minor informalities noted above but are otherwise allowable.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Gordon whose telephone number is (703) 308-


Application/Control Number: 10/605,050

Page 4

Art Unit: 3612

2556. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-7687.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

  
Stephen Gordon  
Primary Examiner  
Art Unit 3612

stg